

Amendment No. 1 to SB0828

Burchett
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 828*

House Bill No. 2090

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-105, is amended by adding a new subsection (c):

(c) Notwithstanding any authority to the contrary, division of mental retardation services (DMRS) public ICF/MR non-facility beds established pursuant to federal litigation settlements or orders arising out of the cases United States v. State of Tennessee, No. 92-2062 (W.D. TN.) [Arlington Lawsuit], or People First, et al v. Clover Bottom Developmental Center, et al, No. 3:95-1227 (M.D. TN) [Clover Bottom Lawsuit], shall be exempt from all requirements and processes for the application and granting of certificates of need as set forth in Tennessee Code Annotated Section 68-11-1607. The establishment of all private ICF/MR non-facility beds remains subject to certificate of need requirements and processes.

SECTION 2. This act shall take effect on July 1, 2007, the public welfare requiring it.